

TOWN OF WEARE

PLANNING BOARD ZONING BOARD OF ADJUSTMENT

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Office Hours:

Monday thru Friday 8 AM – 4:30 PM

PLANNING BOARD MINUTES JUNE 26, 2008 (Approved as written 7/10/08)

PRESENT: Paul Morin, Chairman; Craig Francisco, Vice Chairman; George Malette,

Secretary; Tom Clow, Exofficio; Neal Kurk, Alternate; Arthur Townes,

Alternate; Naomi L. Bolton, Land Use Coordinator

GUESTS: Mike Dahlberg, LLS; Steve Lacharite; Gordon Baker; Christopher Berry

I. CALL TO ORDER:

Chairman Paul Morin called the meeting to order at 7:05 PM at the Weare Town Office Building.

Arthur Townes recused himself from the board for the next hearing.

II. PUBLIC HEARINGS:

BEVERLY TOWNES-CLUSTER SUBDIVISION (CONTINUED HEARING), SUGAR HILL ROAD, #403-019: Vice Chairman Francisco opened this hearing at 7:06 PM, as Chairman Morin arrived immediately after. Mike Dahlberg was present. Mr. Dahlberg explained that the conservation easement deed was revised to remove the hunting provision and the Right to Farm Zoning Article reference has been added.

Neal Kurk asked the impact of saying nothing about hunting. They removed the previous prevision of hunting by permission. Without saying anything is leaving it to state statute and fish and game laws. Mr. Kurk asked if then the property owner could post her land for hunting.

Chairman Morin stated the difference is that the last version stated you needed specific permission by the property owner; they took that away leaving it open. Mr. Dahlberg stated that if hunting becomes abused then the property owner has every right to post it.

Mr. Kurk stated that in item 1.4 the last sentence is it the intention that this property be restricted to "place small signs restricting use *to* ecologically sensitive areas". Mr. Dahlberg responded that is should say "restricting use *in* ecologically sensitive areas".

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Mr. Kurk asked in section 1.5, if it would be legal to remove water through a well to produce water i.e.: Poland Springs. The board agreed that it would be a commercial use of the property and not allowed.

Tom Clow stated he is fine with the easement the way it is. If the board wants to add something to 1.5 it should be for future easements and not to hold this up.

Chairman Morin stated that we have talked about uniformity for 2 years now to have a model using the most recent for a template and we will get there.

George Malette felt that the document should be conditional to allow the Conservation Commission to have input.

Before a vote was taken, Chairman Morin appointed Neal Kurk to sit as a voting member.

Craig Francisco moved to approve the plan subject to the following conditions:

- State of NH Subdivision Approval
- Technical corrections suggested by the Conservation Commission (WCC) that don't change the intent to the final easement document

Tom Clow seconded the motion.

Discussion: George Malette stated that he is not in favor. Neal Kurk stated that he will be voting against this because it is not protecting the farm lands per the right to farm.

Mr. Malette wanted to amend the motion so that the final approval of the Conservation Easement language is to be reviewed by the WCC.

Chairman Morin stated that he believes this document reflects what the WCC is looking for along with what this board wanted. We have gotten the WCC's full advice.

Chairman Morin called for a vote. Vote: 3 in favor (Clow, Francisco, and Morin) and 2 opposed (Kurk, Malette), therefore the motion passes. Chairman Morin closed this hearing at 7:35 PM.

Arthur Townes returned to his seat on the board.

AWEARE AUTO & TRUCK REPAIR – SITE PLAN REVIEW, NORTH STARK HIGHWAY, TAX MAP 201-071.002: Chairman Morin opened this hearing at 7:37 PM. Steve Lacharite, Gordon Baker and Christopher Berry, Berry Engineering were present. Mr. Berry explained the purpose of the plan is to relocate this existing business further north on Route 114 and to build a new building. Mr. Berry explained that he has changed the plans and the revisions mostly include the grading revisions only.

Neal Kurk asked where the well location and septic systems are located. The well is shown but the radius is missing. The board discussed a sign rendering should be submitted to the board, but had an issue with having it provided by the sign maker as it would lock in the applicant.

The following is the list of outstanding items:

- correct required building setbacks currently they are shown at 50' all the way around and it should be 50' front and 30' side and rear
- zoning requirements should be listed (area and street frontage) for a commercial lot
- copy of existing deed
- driveway entrance is shown but the flow of traffic is not shown (small arrows)
- Fire ward Approval
- State of NH Driveway Permit
- Conservation Commission would like to meet with them in July
- Town Engineer review of storm water drainage plans
- Economic Development Committee comments
- Well radius
- Sign rendering
- Building rendering (architectural showing colors, materials, elevations)
- Landscaping plan
- 2:1 slopes to be matted not armored
- reduce 24' paved driveway down
- show PSNH poles
- driveway exceeds 10% maximum grade

The board felt that this would be a good application for a site walk. The site walk was set for Wednesday, July 2, 2008 at 6 PM at the proposed site.

Tom Clow moved to continue this hearing to July 24th, 2008; Craig Francisco seconded the motion, all in favor. Chairman Morin closed this hearing at 8:45 PM.

III. APPROVAL OF MINUTES:

These will be done at the next meeting.

IV. OTHER BUSINESS:

<u>HIGH ROCK</u>: Chairman Morin stated that he received a fax from Mr. Siciliano indicating that they will be meeting on Friday with the State of NH as well as some of the list of items that have been addressed. The SWPPP permits have been applied for. So it appears that progress is being made.

<u>LOOK-N-2-STORE</u>: The board wants to send letter to the applicant informing him we are aware of the violation and now the request for the expansion. Chairman Morin stated that he will draft a letter to Dave Wilusz.

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<u>CAR WASH</u>: There have been three inquires to the Police Department asking to check about the hours of operation being adhered and they have not produced any information that they are not adhering to them. Chip Meany sent Chairman Morin an email regarding the applicant wanting final sign off. Chairman Morin stated that he saw one oak tree missing. A couple of other board members wanted to ask Mr. Meany about the facing of the concrete wall. There was recollection that it was to be faced with something. Chairman Morin will discuss this with Mr. Meany.

V. ADJOURNMENT:

As there was no further business to come before the board, Tom Clow moved to adjourn at 9:05 PM; George Malette seconded the motion, all in favor.

Respectfully submitted,

Naomi L. Bolton Land Use Coordinator